

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Keoscha Ellesse Spencer,)	Case No. 1:18-cr-152
)	
Defendant.)	

Defendant is charged in an Indictment with: (1) conspiracy to distribute and possess with intent to distribute a controlled substance; and (2) and possession with intent to distribute a controlled substance (2 counts).. She was conditionally released to her home following her initial appearance before the district court in Nevada on September 17, 2018. (Doc. No. 33-2 and 33-6). This court continued her release on the same conditions following her arraignment on October 1, 2018. (Doc. Nos. 36 and 38).

On March 29, 2019, defendant made her initial appearance in Nevada on a petition for revocation of pretrial release filed in this district. (Doc. Nos. 50 and 53). She was released pending a revocation hearing before this court. (Doc. No. 53-2). On April 15, 2019, she appeared before via video before this court, which continued her pretrial release subject to additional conditions. (Doc. Nos. 55 and 56).

On September 17, 2019, defendant made her initial appearance in Nevada on a second petition for revocation of pretrial release filed in this district. (Doc. Nos. 61 and 64). According to the minutes of this proceeding, the district court in Nevada appointed counsel to represent defendant and, after entertaining arguments from both sides, ordered defendant detained and committed to

North Dakota pending a final hearing on the second petition. (Doc. No. 64).

On October 1, 2019, defendant filed a Motion to Conduct Pretrial Release Revocation hearing via ITV. (Doc. No. 65). She requests to appear for her revocation hearing before this court via video from Nevada, citing, amongst other things, the hardship her detention and transport to North Dakota poses hardship for her family.

Although not without sympathy, this court cannot overlook the preliminary finding of the district court in Nevada that defendant's detention and commitment to North Dakota were warranted. Given these findings coupled with the alleged violations set forth in both of defendant's petitions, this court is not inclined to hold the final hearing on the second petition via video with Nevada. Defendant's motion (Doc. No. 65) is **DENIED**.

IT IS SO ORDERED.

Dated this 2nd day of October, 2019.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court